

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MACKENZIE SMITH, *et al.*,

Plaintiffs,

v.

THE CITY OF PHILADELPHIA,

Defendant.

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CIVIL ACTION

NO. 22-5092

ORDER

AND NOW, this 3rd day of February, 2025, upon consideration of Defendant's Motion to Dismiss, Plaintiffs' Response, Defendant's Reply, and after Oral Argument, it is hereby **ORDERED** that the Motion is **DENIED**.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.